GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

SD&T Dept. – Emp. & Trg. - Smt. Patta Aruna, Pharmacist Grade-II, Govt. I.T.I. (Old), Kancharapalem, Visakhapatnam, who was transferred to the Govt. I.T.I., Bobbili of Vizianagaram District during the General transfers in January 2022 - Retransferred to the Govt. I.T.I. (Old), Kancharapalem, Visakhapatnam and posted in the existing vacancy, in relaxation of orders of ban on transfer of employees - Orders – Issued.

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SKILLS DEVELOPMENT & TRAINING (E&T.A2) DEPARTMENT

G.O.Rt.No.18, **Dated:30-1-2023**

Read the following:-

1. From the Hon'ble High Court of Andhra Pradesh, order dt.29-6-2022 in W.P.No.2370 of 2022.
2. Govt. Memo. No.1807298 /E&T.A2/2022, dt.7-8-2022.
3. From Smt. Patta Aruna, Pharmacist Gr.II, Govt. ITI(Old), Visakhapatnam, representation, dt.10-8-2022.
4. Govt. Memo. No.1807298 /E&T.A2/2022, dt.25-8-2022.
5. From the DE&T, AP, Vijayawada, letter No.C1/Suits/ PA/2022, dt.12-9-2022.

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ORDER:

The Director of Employment and Training, A.P., Vijayawada had transferred Smt. Patta Aruna, Pharmacist Grade-II, Govt. I.T.I. (Old), Kancharapalem, Visakhapatnam to the Govt. ITI, Bobbili of Vizianagaram District in January 2022 during the General Transfers 2021-'22, i.e., to the another Unit of Appointment against Rule-12 of the A.P. Craftsmen Training Subordinate Service Rules, 1995 issued, vide G.O.Ms.No.23, LET&F (EMP.A2) Dept., dt.24-6-1995. Further, as per Rule-3 of these Service Rules, the Deputy Directors of the respective Zones are the Appointment Authorities. But, the Director of Employment and Training, A.P., Vijayawada has issued the transfer order.

2. The Director of Employment and Training, A.P., Vijayawada has brought the online software taking a Zone as a Unit of Appointment for uploading the online transfer applications during the General Transfers held in January 2022. As such, the software did not allow final submission by the applicants without choosing all the 4 options, even though any one of those options led to transfer them to a place of another Unit of Appointment.

3. Even though there are vacancies of Pharmacists Grade-II post in Visakhapatnam District, the Director of Employment and Training, A.P., Vijayawada, without considering the first three options of the individual to transfer to any one of the vacancies in the Visakhapatnam District, had transferred her to the Govt. I.T.I., Bobbili of Vizianagaram District, i.e., to another Unit of Appointment.

4. As the representation dt.21-1-2022 of the individual submitted to the competent authority, i.e., Dy. Director, E&T, Zone-I, Visakhapatnam and her another representation dt.25-1-2022 submitted to the Director of Employment and Training, A.P., Vijayawada were not justified, she approached the Hon'ble High Court of Andhra Pradesh in W.P. No.2370 of 2022. The Hon'ble High Court of Andhra Pradesh have considered the facts of the case and issued order on 29-6-2022 as follows:

> " … In view of the facts and circumstances of the case and as the petitioner is at the fag end of her service and as some of the persons were retained at the same place as referred to in the earlier paras, the competent authority is directed to consider the representation made by the petitioner for posting at Government I.T.I. Girls, Visakhapatanam or at any other place in Visakhapatanam, as expeditiously as possible.
>
> Accordingly, the Writ Petition is disposed off. There shall be no order as to costs.
>
> As a sequel, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed".

5. Government, vide Memo. 2nd read above, has requested the Director of Employment and Training, A.P., Vijayawada to take necessary action early on the orders of the Hon'ble High Court of Andhra Pradesh.

P.T.O

6. Smt. Patta Aruna, Pharmacist Grade-II has put-in a representation 3rd read above stating that as her requests made vide letters dt.22-1-2022 and 25-1-2022 were not considered, she approached the Hon'ble High Court for justice and received favourable order. She has submitted a representation to the Director of Employment and Training, A.P., Vijayawada along-with Hon'ble High Court Order to retain her position. But, she has not received any orders from the Director of Employment and Training, A.P., Vijayawada. She has requested the Government to consider her difficulties at the age of 59 years, health issues and to transfer her to the Govt. ITI (Old), Kancharapalem, Visakhapatnam.

7. Government, vide Memo. 4th read above, while forwarding the representation of the individual along-with Hon'ble High Court order, has requested the Director of Employment and Training, A.P., Vijayawada to take immediate action to comply with the Hon'ble High Court order 1st read above and furnish compliance report, as already called for in the Govt. Memo. 2nd read above.

8. The Director of Employment and Training, A.P., Vijayawada, vide letter 5th read above, has stated that Smt. Patta Aruna, Pharmacist Grade-II, Govt. ITI(Old), Kancharapalem, Visakhapatnam filed W.P. No.2370 of 2022 in the Hon'ble High Court, as she was transferred to the Govt. ITI, Bobbili during the General Transfers 2021-'22. The Hon'ble High Court, in its order dt.29-6-2022, observed that the petitioner is at the fag end of her service, some of the persons were retained at the same places, and directed the competent authority to consider the representation made by the petitioner for posting at Govt. ITI Girls, Visakhapatnam or at any other place in Visakhapatnam, as expeditiously as possible. The Director of Employment and Training, A.P., Vijayawada, while stating that the Government is the competent authority to transfer of employees during the ban period, has requested the Government to issue orders for implementation of court orders. She has not indicated the vacancy position.

9. When the Govt. file has been referred, the Director of Employment and Training, A.P., Vijayawada has stated that there are two following vacancies of the post of Pharmacist Grade-II :

1. Govt.ITI (Old), Kancharapalem , Visakhapatnam.
2. Govt.ITI (Girls), Visakhapatnam.

10. Government, after careful examination of the matter, hereby, retransfer Smt. Patta Aruna, Pharmacist Grade-II, Govt. I.T.I.(Old), Kancharapalem, Visakhapatnam, who was transferred in January 2022 to the Govt. I.T.I., Bobbili of Vizianagaram District during the General transfers, 2021-'22, to the Govt. I.T.I. (Old), Kancharapalem, Visakhapatnam and post her in the existing vacancy, in relaxation of orders of ban on transfer of employees.

11. The Director of Employment & Training, A.P., Vijayawada shall take necessary immediate further action, accordingly.

12. This order issues with the concurrence of Finance (HR.I-Plg. & Policy) Department, vide their U.O. No. HROPDPP (TRPO)/10/2023, dt.20-1-2023.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SAURABH GAUR
PRINCIPAL SECRETARY TO GOVERNMENT(FAC)

To
The Director of Employment & Training,
Andhra Pradesh, Vijayawada.
Smt. Patta Aruna, Pharmacist Grade-II.
(through the Director of Employment & Training, A.P., Vijayawada).
The Deputy Director (Trg.), E&T, Zone-I, Visakhapatnam.

Copy to:

The Director of Treasuries & Accounts, Andhra Pradesh, Vijayawada.
The Accountant General, Andhra Pradesh, Vijayawada.
The Finance ((HR.I-Plg. & Policy) Department, AP Secretariat, Velagapudi.
The O.S.D./P.S. to Minister for SD&T Department.
The P.S. to Principal Secretary to Government, SD&T Department.
The SD&T (OP) Department.
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER